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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

Tyler Brenneise, Allison Brenneise and Robert Brenneise, Plaintiffs, v. San Diego Unified School District, Defendant.	Case No. 08 CV 0028 WQH WMc **CORRECTED NOTICE OF RELATED CASES [Civ.L.R. 40.1(e)]** **Trial:** **none set**

I. NOTICE OF RELATED CASES

Pursuant to the Local Rules of Practice for the United States District Court for the Southern District of California Civil Rule 40.1, notice is hereby given that the above captioned case entitled Tyler Brenneise et. al. v. San Diego Unified School District, United States District Court – Southern District of California, Case No. 08 CV 0028 WQH WMc, filed on January 4, 2008, is related to the case entitled San Diego Unified School District v. T.B. et. al., United States District Court – Southern District of California, Case No. 08 CV 0039 L RBB, also filed on January 4, 2008.

The cases are related in that both cases involve the same parties and are based on the same or similar claims and events. Civ.L.R. 40.1(f)(1) and (2). More specifically, both cases pertain to the same student, same family, same school district, same school year, same counsel, and same offers of a free, appropriate public education.

The cases are also related on the ground that both cases involve the same or substantially similar questions of law. Civ.L.R. 40.1(f)(3). Both parties seek review of the same underlying administrative proceeding, convened pursuant to the Individuals with Disabilities Education Improvement Act ("IDEA"), 20 U.S.C. sections 1400 *et seq.*, and adjudication of rights under the IDEA. Both cases are currently pending in the same court, but are currently assigned to different judges. Assigning both cases to the same judge, and ultimately consolidating both cases, will prevent substantial duplication of efforts and will be in the best interest of all parties and the Court. Civ.L.R. 40.1

DATED: February 22, 2008

MILLER BROWN & DANNIS

By: /s/ Sarah L.W. Sutherland
SARAH L. W. SUTHERLAND
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CERTIFICATE OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action; my business address is: Symphony Towers, 750 B Street, Suite 2310, San Diego, CA 92101.

On the date set forth below I served the foregoing document described as CORRECTED NOTICE OF RELATED CASES on plaintiffs by serving their counsel of record electronically, having verified on the court's CM/ECF website that such counsel is currently on the list to receive emails for this case, and that there are no attorneys on the manual notice list.

Dated: February 22, 2008 /s/ Janice Karr